

PATENT
Customer No. 22,852
Attorney Docket No. 07810.0116-00000

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)	
)	
Graham PRING et al.)	Group Art Unit: 1755
)	
Application No.: 10/508,831)	Examiner: Helene G. KLEMANSKI
)	
Filed: September 23, 2004)	
)	
For: Kaolin Pigment Having High)	Confirmation No.: 3783
Brightness and Narrow Particle)	
Size Distribution and Method of)	
Preparation Therefor)	

MAIL STOP AMENDMENT

VIA EFS-Web

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

TERMINAL DISCLAIMER

Imerys Pigments, Inc., duly organized under the laws of Georgia and having its principal place of business at 100 Mansell Court East, Suite 300; Roswell, Georgia; 30076, represents that it is the assignee of the entire right, title, and interest in and to the above-identified application, Application No. 10/508,831, filed September 23, 2004, for KAOLIN PIGMENT HAVING HIGH BRIGHTNESS AND NARROW PARTICLE SIZE DISTRIBUTION AND METHOD OF PREPARATION THEREFOR in the names of Graham PRING and Christopher R. L. GOLLEY, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 016503, Frame 0634 on September 23, 2004.

Imerys Minerals, Ltd., duly organized under the laws of the United Kingdom and having its principal place of business at Par Moor Centre, Par Moor Road, Par Cornwall PL24 2SQ United Kingdom, represents that it is the assignee of the entire right, title, and interest in and to U.S. Patent Application No. 10/511,203 ("the '203 Application"), filed August 22, 2005, for PAPER COATING PIGMENTS in the names of Christopher NUTBEEM, David O. CUMMINGS, John C. HUSBAND, and Dave R. SKUSE, as indicated by the assignment duly recorded in the United States Patent and Trademark Office at Reel 016980, Frame 0365 on August 22, 2005.

Both Imerys Pigments, Inc., and Imerys Minerals, Ltd., are 100%, wholly-owned subsidiaries of Imerys SA. See Exhibit 1. As such, the inventions presently claimed in the instant application and the '203 Application are commonly owned by Imerys SA. See MPEP § 706.02(l)(2)(l)(Example 1).

To obviate a double patenting rejection, Imerys SA hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§ 154 to 156 and 173, as presently shortened by any terminal disclaimer, of any patent issuing from the '203 Application. Imerys SA hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent issuing from the '203 Application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Imerys SA does not disclaim the terminal part of any patent granted on the instant application that would extend beyond the expiration

date of the full statutory term as defined in 35 U.S.C. §§ 154 to 156 and 173 of any patent issuing from the '203 Application, as presently shortened by any terminal disclaimer, in the event that the patent issuing from the '203 Application later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or in part, is terminally disclaimed under 37 C.F.R. § 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

In accordance with the fee schedule set forth in 37 C.F.R. § 1.20(d), the required fee of \$130.00 is being filed with this disclaimer. If payment of the required fee is not submitted concurrently herewith, or if there are any additional fees due in connection with the filing of this Terminal Disclaimer, please charge the fees to our Deposit Account No. 06-0916. If a fee is required for an extension of time under 37 C.F.R. § 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account No. 06-0916.

The undersigned is an attorney of record.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

/Robert C. Stanley/

Dated: July 8, 2007

By: _____
Robert C. Stanley
Reg. No. 55,830